

UTILITY PATENT APPLICATION TRANSMITTAL

U.S. PTO
17497
10/17/05246

<i>Address to:</i> Mail Stop PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	<i>Attorney Docket No.</i> RPC 0582 PUSA
	<i>Inventor(s) or Appln. Identifier</i> William P. Apps
	PTO Customer # 033171

1. This application entitled PALLET ASSEMBLY is:

- a. A new application under 37 C.F.R. § 1.53(b).
- b. A X continuation divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/944,480 filed on Sept. 1, 2001, entitled PALLET ASSEMBLY, which is a continuation of serial No. 09/330,150 filed 6/11/99, now U.S. Patent No. 6,283,044, which is a continuation- in- part of serial No. 09/108,532, filed 7/1/1998, now U.S. Patent No. 6,250,234.
- c. A new utility application which claims the benefit of provisional application Serial No. _____, filed on _____.

Application elements and other attached papers:

- 2. Specification (including Claims and Abstract) [Total Pages 36]
- 3. Drawings (informal / formal) [Total Sheets 29]
- 4. Oath or Declaration
 - a. Newly-executed
 - b. Copy from a prior application (37 C.F.R. § 1.63(d))
- 5. Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 6. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - a. ***DELETE*** the following inventor(s) named in the prior nonprovisional application:

 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop: Patent Application, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Express
Mail Label No. EJ 206 387 416 US

KONSTANTINE J. DIAMOND
(Type or print name of person mailing paper)

Date of Deposit: November 10, 2003

Konstantine J. Diamond
(Signature of person mailing paper)

7. Preliminary Amendment:

- a. A Preliminary Amendment is attached.
- b. Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- c. Please amend the specification by deleting the sentence presently below "Cross-Reference to Related Application" presently on page 1, lines 3-6 of the application and inserting therefore the following sentence:

"This is a continuation of copending application Serial No. 09/944,480 filed on September 1, 2001, which is a continuation of serial No. 09/330,150 filed June 11, 1999, now U.S. Patent No. 6,283,044, which is a continuation in part of serial No. 09/108,532, filed July 1, 1998, now U.S. Patent No. 6,250,234"

- d. A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. Applicant claims small entity status.
- b. Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	-20 =	0	x 18.00	--
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	-3 =		x 86.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			270.00	
BASIC FEE (37 C.F.R. § 1.16(a))				770.00
TOTAL OF ABOVE CALCULATIONS				
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				--
				TOTAL

- 10. A check in the amount of \$_____ is enclosed.

- 11. The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 50-1984:

 - a. Fees required under 37 C.F.R. § 1.16.
 - b. Fees required under 37 C.F.R. § 1.17.

12. Maintenance of Copendency of Prior Application

- A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____

13. An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:
- a. Form PTO/SB/08 (sheet(s))
 - b. Copies of references cited
14. Certified copy of priority document(s)
15. Nonpublication Request Under 37 C.F.R. § 1.213(a)
16. Request for Early Publication Under 37 C.F.R. § 1.219
17. Return Receipt Postcard
18. Other: _____
19. An Assignment of the invention to REHRIG PACIFIC COMPANY
having an address of 4010 E. 26TH ST., LOS ANGELES, CA 90023
- a. is attached.
 - b. was recorded in a priority application on July 12, 1999 at Reel 9937, Frame 0144.
 - c. Applicant requests that the above assignee information be published with the application.
20. The power of attorney in the prior application is to:

Konstantine J. Diamond 39,657
Name of Attorney of Record Reg. No.

- The power appears in the original papers in the prior application.
- The power does not appear in the original papers, but was filed on _____.
- A new power has been executed and is attached.

21. Correspondence Address: Please address all future communications to:

KONSTANTINE J. DIAMOND,
4010 E. 26th st.
Los Angeles, CA 90023
Phone: 323-262-5145; Fax: 323-269-8506

Respectfully submitted,

William P. Apps

Date November 10, 2003


Name: Konstantine J. Diamond
Registration No.: 39,657

Attorney or agent of record
 Filed under Rule 34(a)